

1/28/05

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO. 1:04CR138
	:	
Plaintiff,	:	JUDGE KATHLEEN O'MALLEY
vs.	:	
LEON EDWARDS,	:	<b><u>DEFENDANT'S MOTION TO IMPOSE</u></b>
	:	<b><u>ALTERNATIVE SENTENCE</u></b>
Defendant.	:	

Defendant Leon Edwards, through counsel, respectfully requests that the Court issue a corrected Judgment and Commitment Order imposing the 77-month alternative sentence announced by the Court at the sentencing hearing under the authority of United States v. Koch, No. 02-6278, 2004 WL 1870438 (6<sup>th</sup> Cir. Aug. 13, 2004)(unreported) and United States v. Booker, 125 S.Ct. 738, 2005 WL 50108 (2005). The reasons supporting this request are stated more fully in the attached memorandum which is incorporated herein by this reference.

Respectfully submitted,

/s/*Edward G. Bryan* \_\_\_\_\_  
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CHIEF DEFENDER *✓*

DENIED \_\_\_\_\_

*K. M. O'Malley*  
*U.S. District Judge*  
*6-9-05*

\*THE Government has withdrawn any opposition to this request. A new TAC will confirm the alternative sentence. 72